

CRIMINAL COMPLAINT  
(Electronically Submitted)

<b>United States District Court</b>	DISTRICT of ARIZONA
<b>United States of America</b> <b>v.</b> <b>Mario CABANILLAS-LIZARRAGA</b> DOB: 1979; Mexican Citizen	DOCKET NO.  MAGISTRATE'S CASE NO. <b>23-04530MJ</b>
Complaint for violation of Title 18, United States Code, § 554(a)	
<p>On or about June 8, 2023, in the District of Arizona, <b>Mario CABANILLAS-LIZARRAGA</b> knowingly and fraudulently exported and sent from the United States, and attempted to export and send from the United States, any merchandise, article, or object contrary to any law or regulation of the United States, and received, concealed, bought, sold, and in any manner facilitated the transportation, concealment, and sale of such merchandise, article or object, that is: one (1) .308 Diamondback DB10 rifle, one (1) .270 Winchester Savage Model 110 rifle, one (1) .556 Plumcrazy CIS rifle, one (1) .38 Colt Super Government Model rifle, three (3) .308 ten-round magazines, five (5) .308 20-round P-Mag Magpul magazines, eight (8) .556 30-round P-Mag Magpul magazines, one (1) .38 Colt Super magazine, and three (3) .762x39mm 50-round drum magazines, knowing the same to be intended for exportation contrary to any law or regulation of the United States, to wit: Title 50, United States Code, Section 4819; Title 15, Code of Federal Regulations, Parts 736.2, 738, and 774; all in violation of Title 18, United States Code, Section 554(a).</p>	
<b>BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED:</b>	
<p>At approximately 5:40 p.m. on June 8, 2023, <b>Mario CABANILLAS-LIZARRAGA</b> attempted to exit the United States and enter the Republic of Mexico through the Mariposa Port of Entry in Nogales, Arizona. Customs and Border Protection Officers (CBPOs) were conducting outbound inspections when they stopped <b>CABANILLAS-LIZARRAGA</b>, who was the driver and sole occupant of a white Chrysler Pacifica, bearing Tennessee license plate number 8W82U7. CBPOs selected this vehicle for a routine outbound inspection. The primary CBPO asked <b>CABANILLAS-LIZARRAGA</b> if he had any currency over \$10,000, weapons, or ammunition to declare, and <b>CABANILLAS-LIZARRAGA</b> denied having any of these items. <b>CABANILLAS-LIZARRAGA</b> told the CBPOs that the vehicle was a rental, but he was unable to produce a rental agreement. CBPOs noticed the latches to the vehicle's floor storage compartments to be broken. When the CBPOs opened the compartments, they observed a bulky item wrapped in cellophane and tape, which felt like a firearm to the CBPO who handled it. CBP officers conducted a Z-scan of the vehicle and noticed abnormalities in floor compartments and trunk. A search of the vehicle revealed one (1) .308 Diamondback DB10 rifle with serial number DB1106981, one (1) .270 Winchester Savage Model 110 rifle with serial number F232481, one (1) .556 Plumcrazy CIS rifle with serial number RM07076, one (1) .38 Colt Super Government Model rifle with serial number GV041470, three (3) .308 ten-round magazines, five (5) .308 20-round P-Mag Magpul magazines, eight (8) .556 30-round P-Mag Magpul magazines, one (1) .38 Colt Super magazine, and three (3) .762x39mm 50-round drum magazines. In a post-<i>Miranda</i> interview, which began at approximately 8:55 p.m., <b>CABANILLAS-LIZARRAGA</b> told HSI Special Agent (SA) Timothy P. Watson that he received a phone call this morning from a phone number he did not have saved as a contact. The person who called him was a friend of a friend that <b>CABANILLAS-LIZARRAGA</b> had never met. <b>CABANILLAS-LIZARRAGA</b> told SA Watson that this person asked him to take "something" into</p>	
MATERIAL WITNESSES IN RELATION TO THE CHARGE: N/A	
DETENTION REQUESTED Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge.	SIGNATURE OF COMPLAINANT  TIMOTHY P WATSON <small>Digitally signed by TIMOTHY P WATSON Date: 2023.06.09 10:21:44 -07'00'</small>
AUTHORIZED BY AUSA <i>Matthew C. Cassell</i> <small>Digitally signed by MATTHEW CASSELL Date: 2023.06.09 08:16:01 -07'00'</small>	OFFICIAL TITLE HSI Special Agent Timothy P. Watson
Sworn by telephone <u>  x  </u>	
SIGNATURE OF MAGISTRATE JUDGE <sup>1)</sup>  <i>Maria S. Aguilera</i>	DATE June 9, 2023

1) See Federal Rules of Criminal Procedure Rules 3, 4.1, and 54



23-04531MJ

Mexico for \$1,000.00. **CABANILLAS-LIZARRAGA** told SA Watson that this person instructed him to drive to Tacos y Mariscos Sinaloa on 28<sup>th</sup> Avenue & McDowell in Phoenix. **CABANILLAS-LIZARRAGA** stated that did as he was instructed, parked in the parking lot, and waited. **CABANILLAS-LIZARRAGA** told SA Watson that a gray Jeep Gladiator parked near him, and an unknown male approached him. **CABANILLAS-LIZARRAGA** stated he briefly spoke to the male, who retrieved a black rifle bag from his vehicle and handed it to **CABANILLAS-LIZARRAGA**. **CABANILLAS-LIZARRAGA** admitted to SA Watson that it was at this time he realized he was being paid to smuggle firearms to Mexico and also that he knew it was illegal to do this. **CABANILLAS-LIZARRAGA** told SA Watson that the unknown male handed him a Home Depot Box and an item wrapped in cellophane and tape. **CABANILLAS-LIZARRAGA** placed some of the items in the trunk of his vehicle and the rest of the items in the storage compartments in the floor of his vehicle.

